

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Melissa Marie Martz
Debtor

Case No.11-55938-PJS
Chapter 13
Honorable Phillip J Shefferly

Melissa Marie Martz

Plaintiff
v.

Adv. Proc. No.11-05766 pjs

Bank of America

Defendant

DEFAULT JUDGMENT

WHEREAS, on June 7, 2011 an adversary proceeding was brought by Plaintiff, Melissa Marie Martz, against Bank of America (the “Defendant”) pursuant to Federal Rules of Bankruptcy Procedure 7001, to seek relief in accordance with Section 523 of the United States Bankruptcy Code, 11 U.S.C. § 101 et seq. (the “Bankruptcy Code”).

WHEREAS, the court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C. § 1334; and

WHEREAS, this adversary proceeding is a core proceeding pursuant to 28 U.S.C. §§ 157(b)(2)(A) and (K), and

WHEREAS, venue properly lies in this judicial district pursuant to 28 U.S.C. §§ 1408 and 1409; and

IT IS ORDERED that upon completion of the debtor’s Chapter 13 plan and the entry of a Chapter 13 discharge order in bankruptcy case number 11-55938-pjs, the

mortgage ("Mortgage") dated July 29, 2002 covering the following described property ("Property") legally described as:

City of Westland, County of Wayne, State of Michigan;

Lot 140, BRIGHT MEADOWS SUBDIVISION, according to the recorded plat thereof, Liber 86, Page 47, Wayne County Records.

Tax Id: 56-057-040-140-000

CKA 35966 Somerset St, Westland MI 48186

and as recorded on August 19, 2002 in the Wayne County Register of deeds at Liber 36771, Page 458, will be stripped from the property and discharged.

IT IS FURTHER ORDERED that upon completion of the debtor's Chapter 13 plan and entry of a Chapter 13 discharge order in bankruptcy case number 11-55938-pjs, the debtor may record a certified copy of this order, with a copy of the debtor's Chapter 13 discharge order attached, with the Wayne County Register of Deeds, which will constitute and effectuate the discharge of the Mortgage.

IT IS FURTHER ORDERED that if the debtor fails to complete the debtor's Chapter 13 plan and obtain a Chapter 13 discharge order in bankruptcy case number 11-55938-pjs, this order does not affect the validity or enforceability of the Mortgage and may not be used in any subsequent bankruptcy case of the debtor either to compel the holder of the Mortgage to execute a discharge of the Mortgage, or to otherwise act as a discharge of the Mortgage.

Signed on September 02, 2011

/s/ Phillip J. Shefferly
Phillip J. Shefferly
United States Bankruptcy Judge